

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE**

| | | |
|------------------------------|---|-------------------------------|
| TERRY LYNN KING, |) | |
| |) | |
| Plaintiff, |) | <u>CAPITAL CASE</u> |
| |) | |
| v. |) | Case No. 3:18-cv-01234 |
| |) | |
| FRANK STRADA, et al., |) | JUDGE CAMPBELL |
| |) | |
| Defendants. |) | |

| | | |
|------------------------------|---|-------------------------------|
| DONALD MIDDLEBROOKS, |) | |
| |) | |
| Plaintiff, |) | <u>CAPITAL CASE</u> |
| |) | |
| v. |) | Case No. 3:19-cv-01139 |
| |) | |
| FRANK STRADA, et al., |) | JUDGE CAMPBELL |
| |) | |
| Defendants. |) | |

DEFENDANTS' NOTICE OF STATUS UPDATE

Pursuant to this Court's orders (*King*, D.E. 227; *Middlebrooks*, D.E. 78), Defendants hereby provide notice to the Court regarding the status of corrective actions to comply with the recommendations in the Report and Findings of the Tennessee Lethal Injection Protocol Investigation ("Report") and Governor Lee's directives. (*King*, D.E. 229-1, 229-2; *Middlebrooks*, D.E. 81-1-81-2.)

The Tennessee Department of Correction (TDOC) is currently working with counsel on draft revisions to Tennessee's execution procedures for lethal injection. The process of revising the protocol is a priority, is active, and ongoing. The Commissioner of TDOC is currently not prepared to provide a date when a new lethal injection protocol will be finalized.

Respectfully submitted,

JONATHAN SKRMETTI
Attorney General and Reporter

/s/ Cody N. Brandon
CODY N. BRANDON (037504)
Managing Attorney
Assistant Attorney General

MIRANDA JONES (36070)
Senior Assistant Attorney General

JOHN R. GLOVER (037772)
Assistant Attorney General

SCOTT C. SUTHERLAND (29013)
Deputy Attorney General

Law Enforcement and
Special Prosecutions Div.
P.O. Box 20207
Nashville, Tennessee 37202-0207
Off. (615) 532-7400
Fax (615) 532-4892
Scott.Sutherland@ag.tn.gov
Cody.Brandon@ag.tn.gov
Miranda.Jones@ag.tn.gov
John.Glover@ag.tn.gov
David.Wickenheiser@ag.tn.gov
Counsel for Defendants

CERTIFICATE OF SERVICE

I certify that on the 30th day of October, 2023, a copy of the foregoing was filed and served via the Court's CM/ECF system on the following counsel for *Middlebrooks*:

Amy Harwell
Houston Goddard
Katherine Dix
Katheryn Thomas
Kelley Henry
Marshall Jensen
Richard Tennent
Federal Public Defender's Office (MDTN)
810 Broadway, Suite 200,

Nashville, TN 37203
615-695-6906
Amy_Harwell@fd.org
houston_goddard@fd.org
Katherine_Dix@fd.org
kit_thomas@fd.org
Kelley_Henry@fd.org
Marshall_Jensen@fd.org
Richard_Tennent@fd.org

And on the following counsel for *King*:

Alex Kursman
Lynne Leonard
Anastassia Baldrige
Hayden Nelson-Major
Assistant Federal Defenders
Federal Community Defender for the E.D.
Penn.
Suite 545 West, The Curtis
601 Walnut St.
Philadelphia, PA 19106
(215) 928-0520
alex_kursman@fd.org
lynne_leonard@fd.org
ana_baldrige@fd.org
hayden_nelson-major@fd.org

Bass, Berry & Sims 150 Third Ave. South
Nashville, TN 37201
(615) 742-6200
desquivel@bassberry.com
smiller@bassberry.com
jeremy.gunn@bassberry.com
michael.tackeff@bassberry.com

David Esquivel
Sarah Miller
Jeremy Gunn
Michael Tackeff

Alice Haston
Amy Rao Mohan
Christopher C. Sabis
Sherrard Roe Voight & Harbison, PLC
150 Third Ave. South
Suite 1100
Nashville, TN 37201
(615) 742-4539
ahaston@srvhlaw.com
amohan@srvhlaw.com
csabis@srvhlaw.com

/s/ Cody N. Brandon

CODY N. BRANDON